

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
NIRAV B. PATEL,)
)
Defendant.)

CASE NUMBER: 23-mj-8089-GCS

CRIMINAL COMPLAINT (FILED UNDER SEAL)

I, Conor Hoyland, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief:

COUNT 1

CONSPIRACY TO COMMIT WIRE FRAUD – 18 U.S.C. § 1349

1. From on or about September 1, 2022 to on or about April 20, 2023, in Madison County, Illinois, within the Southern District of Illinois, and elsewhere, defendant,

NIRAV B. PATEL,

knowingly conspired and agreed with others known and unknown to commit an offense against the United States in violation of 18 U.S.C. § 1343, namely, to devise and participate in a scheme to defraud elderly victims, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises.

2. The object of this conspiracy was for PATEL and his coconspirators to obtain money and other assets belonging to V.B. and other elderly victims, money and assets that the conspirators were not entitled to receive.

3. It was part of the conspiracy and scheme to defraud that members of the

conspiracy contacted elderly victims by email and phone and told them a fraudulent story about why they needed to send cash and other assets to the conspirators. On at least one occasion, a conspirator making such a call falsely identified himself as law enforcement, told the victim that their financial information had been compromised, and told the victim that the victim needed to send cash and other assets to fix the issue.

4. It was part of the conspiracy and scheme to defraud that the conspirators would at times instruct a victim to place cash into a bitcoin account and then take it from the victim.

5. It was further part of the conspiracy and scheme to defraud that the conspirators would at times instruct the victim to give cash and other assets to a courier who would come pick it up at or near the victim's residence. PATEL was one of the couriers who met victims and took cash and other assets from the victims on behalf of the conspiracy. In particular, PATEL:

a. Picked up and attempted to pick up a box containing about \$51,900 cash on or about April 10, 2023 at victim V.B.'s residence in Edwardsville, Illinois.

b. Picked up and attempted to pick up a box containing about \$5,100 cash on or about April 20, 2023 at victim V.B.'s residence in Edwardsville, Illinois.

6. The funds received were kept by PATEL and his coconspirators and not returned to the victims.

7. On or about March 21, 2023, in furtherance of and as a foreseeable consequence of the conspiracy, the conspirators caused V.B. to create a bitcoin account with Coinhub and deposit \$14,900 cash at a bitcoin ATM in East Alton, Illinois, sending a signal by means of wire communication in interstate commerce to servers located outside the state of Illinois.

All in violation of Title 18, United States Code, Section 1349.

AFFIDAVIT

I further state:

1. **Edwardsville.** A victim, V.B., an 85-year-old resident of Edwardsville, Illinois, reported to police that V.B. received a phone call from a male subject identifying himself as an agent with the State of Illinois in or about February or March 2023. The male subject stated he was investigating a fraud with V.B.'s bank account that had resulted in V.B. incurring a large tax debt. The male subject told V.B. that, to protect her money from the high taxes, she should move her money into Bitcoin. Based on my training and experience, this story was false. No legitimate law enforcement officer would make such a request.

2. On or about March 21, 2023, the male subject called V.B. again and told her to go to Farm Fresh in East Alton, Illinois and he would walk her through the Bitcoin transaction. Once there, following the male subject's instructions, V.B. deposited about \$14,900 into the Bitcoin ATM into a Coinhub account. At the male subject's instruction, V.B. sent him the photo of the receipt, the QR code for her account, and her password.

3. Coinhub and Coinhub accounts are hosted on Amazon Web Services' (AWS) regional data centers, specifically, on servers located in Virginia, Ohio, and Ireland.

4. At the male subject's instruction, V.B. deposited about \$10,000 more into the Bitcoin ATM on or about March 22, 2023.

5. At the male subject's instruction, V.B. deposited about \$12,000 more into the Bitcoin ATM on or about March 23, 2023.

6. At the male subject's instruction, V.B. deposited about \$10,000 more into the Bitcoin ATM on or about March 24, 2023.

7. At the male subject's instruction, V.B. deposited about \$3,100 more into the

Bitcoin ATM on or about April 7, 2023.

8. V.B. later checked her bitcoin account/s and discovered all the money V.B. had deposited at the Bitcoin ATM was gone.

9. On or about March 28, 2023, V.B. began speaking by phone with a male subject who identified himself as "Timothy" and also claimed to be a government agent. Fraudulent documents sent to V.B. purport that the caller was "Officer Timothy Grace, badge number 2216." Based on my training and experience, this was false.

10. On April 10, 2023, V.B. told "Timothy" she was upset that she had lost the funds she put into Bitcoin. "Timothy" told her she could get the Bitcoin money back, but it would take a lot of cash. V.B. went to the bank and withdrew about \$51,900. She took a picture of herself with the cash and sent it to "Timothy." "Timothy" advised her a "Secret Service Agent" would come to her house and pick up the money. That night, he said, a brown vehicle would show up in front of her house around dark. She was to put the money into the back seat and walk away. Based on my training and experience, this was false. No legitimate law enforcement officer would make such a request and no "Secret Service Agent" drove to V.B.'s house to pick up cash.

11. V.B. packaged the cash in a blue shoebox with a stars and spiral design on it.

12. That night, on or about April 10, 2023, a vehicle approximately matching the description provided by "Timothy" stopped in front of V.B.'s residence. V.B. placed the money in the back seat of the vehicle and the vehicle drove away. V.B. stated it was too dark for her to describe the vehicle's occupants, but believed there was a driver and a passenger, and the driver sounded female and seemed to have an accent. Based on information later found in PATEL's

phone, however, there is probable cause to believe PATEL was in the vehicle, as explained below.

13. On or about April 20, 2023, “Timothy” called V.B. about picking up additional cash that night. That same day, V.B. explained to Edwardsville Police Department that she had withdrawn about \$35,000 more in cash from her bank at the instruction of “Timothy.” With the assistance of the Edwardsville Police Department, V.B. arranged with “Timothy” to have the cash picked up that night at her residence. V.B. placed only \$5,100 into a shoebox. At approximately 7:39 PM, “Timothy” called V.B. and told V.B. to get the shoebox and wait outside for the “Secret Service Agent” to arrive in the pick up car. About six minutes later, a maroon, Nissan Altima, Illinois Registration DQ99741 parked in front of V.B.’s residence.



14. “Timothy” told V.B. to go place the shoebox in the backseat of the car, and V.B. did. The Nissan started to drive away but was apprehended by law enforcement.

15. Nirav PATEL was the driver of the Nissan. PATEL was taken into custody and a search warrant obtained for two cellphones he had in the vehicle when arrested.

16. On PATEL’s phone was a photo created on April 10, 2023, showing google maps

directions from northern Illinois, where PATEL appears to reside, to in or around Edwardsville, Illinois, where V.B. resides.

17. On PATEL's phone was a photo created April 10, 2023, showing a blue shoebox with a stars and spiral design on it. The shoebox is taped shut and in the seat of a vehicle. The picture matches V.B.'s description of the shoebox she placed into a vehicle on or about April 10, 2023.

18. PATEL's phone shows a number of calls on April 10, 2023 and April 20, 2023 in WhatsApp from an account saved in his phone as "~Pick Up."

19. The affiant has received information that, on or about November 22, 2022, K.E., a 68-year-old residence of Merrill, Wisconsin, received a call from an unknown male who identified himself as "Eric" and said he was an investigator with the FTC. Like V.B., K.E. was instructed to place cash in the back of a vehicle that would come to her residence. Based on my training and experience, this was false. No legitimate law enforcement officer would make such a request. On or about November 23, 2023, K.E. did in fact put about \$29,000 cash in the back of a vehicle. "Eric" later spoke with K.E. again. This time he instructed her to withdraw \$75,000 cash and told her a courier would arrive to pick it up at her house on December 2, 2022. Now working with the Merrill Police Department, K.E. agreed. K.E. was told the vehicle would be a brown sedan. At 3:41 pm on December 2, "Eric" advised that the vehicle was 2-5 minutes away from K.E.'s residence. At 3:48 pm, Nirav PATEL was detained in what local law enforcement described as a brown Nissan with Illinois registration DQ99741.¹ PATEL was asked who had told him to come to the house to pick up the cash. PATEL acknowledged he had

¹ The Nissan is alternatively described as "brown" and "maroon." Aside from this variance, the vehicle in Wisconsin appears to be the same vehicle with the same registration as the vehicle in Edwardsville, Illinois.

been sent to pick up a package but alleged that he did not know the package contained cash. PATEL was ultimately released, although PATEL consented to a search of his phone and a warrant was later obtained for the phone. The phone showed a message in WhatsApp sending PATEL the address of K.E. The message otherwise appeared to be another language.

20. The affiant has received information that in October 2022, V.L., a 78-year-old resident of Franklin, Indiana, received an email stating her Amazon account had been flagged for fraudulent purchases. V.L. called the number provided, and an individual named "Noah," who claimed to work for the Federal Bureau of Investigations (FBI), told V.L. she needed to work with him or else the government would seize all her money for nine years. Based on my training and experience, this was false. No legitimate law enforcement officer would make such a request. At "Noah's" direction, V.L. sent about \$25,000 cash in a shoebox and then a cashier's check for about \$95,000 via UPS to mailing addresses provided by "Noah." In each instance, "Noah" arranged for a "courier" to pick V.L. up and take her to and from UPS. "Noah" also instructed V.L. to invest in gold, so she bought about \$188,000 in gold. "Noah" instructed V.L. to place all the gold in a single box. He then sent a "courier" to her residence, and V.L. placed the box in the back seat of the vehicle, which she described as a maroon Nissan with Illinois plates.

21. On or about October 30, 2022, V.L. placed about \$24,500 cash in a box and packaged it. The same maroon Nissan with Illinois plates came to her residence, and at "Noah's" instruction, she placed the package containing the cash in the back seat.


22. The affiant has received information that when PATEL was apprehended in

Wisconsin in December 2022, his phone contained a picture containing V.L.'s name and V.L.'s address in Franklin, Indiana. The phone also contained a video of a box in a vehicle, with the box label showing V.L.'s name. The phone contained an additional video, taken about a week later, of a box in a vehicle, and that box label too showed V.L.'s name.

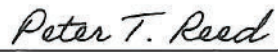
23. In all, there is probable cause to believe these victims collectively have losses attributable to PATEL in excess of \$250,000.

24. Based on the foregoing, I aver there is probable cause to believe that PATEL committed the offense set forth in Count 1 of this Complaint.

FURTHER AFFIANT SAYETH NAUGHT.



CONOR HOYLAND,
Detective,
Edwardsville Police Department



PETER T. REED
Assistant United States Attorney

Subscribed and sworn to this 2nd day of June, 2023, at East St. Louis, Illinois.



GILBERT C. SISON
United States Magistrate Judge